

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ANDREA BOLANOS GUZMAN,)
)
)
Plaintiff,)
) No. 1:23-cv-01070-JMS-MJD
vs.)
)
XTC U.S. XPRESS INC. U.S. INC.,)
)
)
Defendant.)

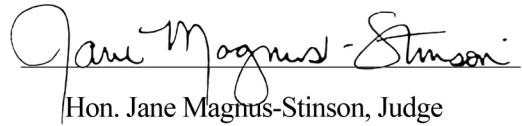
ORDER

Plaintiff Andrea Guzman initiated this lawsuit against Defendant XTC U.S. Xpress Inc. U.S. Inc. ("XTC") on June 20, 2023, [[Filing No. 1](#)], and has asserted claims for gender, pregnancy, and race discrimination and retaliation in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* ("Title VII") and discrimination under 42 U.S.C. § 1981, [[Filing No. 19](#)]. After reaching a settlement during an April 12, 2024 settlement conference, [*see* [Filing No. 48](#)], XTC has failed to make timely settlement payments to Ms. Guzman and she has filed a Motion to Enforce the Settlement Agreement and for Entry of Final Judgment and Awarding of Attorneys' Fees, [[Filing No. 58](#)], to which XTC has not filed a response. Ms. Guzman's Motion is ripe for the Court's consideration.

In her Motion to Enforce the Settlement Agreement, Ms. Guzman provides certain information regarding when payments were due under the Settlement Agreement and regarding communications between the parties' counsel relating to those payments. [[Filing No. 58 at 2-4.](#)] But she does not provide any admissible evidence – including a copy of the Settlement Agreement – reflecting this information. The Court acknowledges that it could summarily grant the Motion to Enforce the Settlement Agreement since XTC has not responded within the deadline for doing

so, *see* [S.D. Ind. L.R. 7-1\(c\)\(5\)](#), but since it prefers to rule on motions on the merits, it **ORDERS** Ms. Guzman to file a copy of the Settlement Agreement and any other admissible evidence she wishes the Court to consider by **August 29, 2024**. The Settlement Agreement may be filed under seal. Upon Ms. Guzman's submission of the Settlement Agreement and any other admissible evidence, the Court will decide Ms. Guzman's Motion to Enforce the Settlement Agreement and for Entry of Final Judgment and Awarding of Attorneys' Fees, [\[Filing No. 58\]](#), in due course.

Date: 8/22/2024



Hon. Jane Magnus-Stinson
United States District Court
Southern District of Indiana

Distribution via ECF only to all counsel of record